

(such Consent to be ascertained in the Manner hereinafter expressed and provided for), from Time to Time to borrow and take up at Interest, for the Purposes aforesaid, upon the Credit and Security of the Tax or Rate of One Shilling an Acre by the same Act charged or chargeable and made payable, such Sum or several Sums of Money as they shall in their judgement deem necessary and requisite for the purposes of the same Act, or of the several Acts therein recited or referred to, so that the Sum or several Sums of Money so to be borrowed shall not exceed in the whole (including the said Sum of Three thousand Pounds already borrowed as aforesaid) the Sum of Fifteen thousand Pounds: Provided always, that no further or additional Sum beyond the said Sum of Three thousand Pounds, in the said Act of the Fifty-seventh Year of His late Majesty King *George* the Third mentioned, shall at any Time hereafter be borrowed or taken up at Interest by the Committee Men for the Time being as aforesaid, except with the Consent of the Trustees of the said last-mentioned Act, to be ascertained and given at any annual or special General Meeting of the said Trustees or their Agents, whereof Notice shall have been given by Three or more of the said Trustees, and published in the *Lincoln, Rutland, and Stamford Mercury* Newspaper, or in some other Newspaper circulating in the County of *Lincoln*, for Three successive Weeks immediately previous to the Day appointed for any such annual or special General Meeting; and in which Notice the intention to Borrow or take up at Interest any and what further and additional Sum shall be distinctly expressed; and the fact of such Consent being given by the majority of Votes of the Trustees or their respective Agents, at any such Meeting, shall be certified by the Chairman of the Meeting, who shall subscribe his Name to the Minute or Record of the proceedings of such Meeting, in the Book of proceedings of the said Trustees and Committee Men, to be kept conformably with the Directions of the said last-mentioned Act; and the said Certificate, or a Copy thereof, verified by the Clerk for the Time being to the said Committee Men, shall be conclusive evidence of such Consent as aforesaid.

*Receipts under the Hand of Committee Men to be a sufficient Discharge.*

XVI. And be it further enacted, That the Receipt or Receipts under the Hands of the said Committee Men for the Time being, or of the major part of them, shall be an effectual Acquittance and Discharge to the Person or Persons who shall advance any Sum or Sums of Money to be borrowed pursuant to the Power herein-before in that Behalf contained.

*Form of Security for Money to be borrowed.*

XVII. And be it further enacted, That any and every Security to be made or granted for the Money to be borrowed pursuant to the Provisions of this Act, shall and may be made in the form or to the effect following, with such other Stipulations or Provisions to be inserted therein as the case may require; (that is to say.)

*Form of Mortgage.*

“WE, the Committee Men, acting in the Execution of an Act of Parliament passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled, ‘An Act for amending and rendering more effectual an Act of His present Majesty, for draining Lands in *South Holland*, and for continuing and amending another Act of His present Majesty, for maintaining and repairing a certain Bank and the Road thereon, from *Spalding High Bridge* to *Brother House*, all in the County of *Lincoln* ;’ and also of another Act passed in the First Year of the Reign of Her Majesty Queen *Victoria*, intituled [here set forth the title of this Act,] Do, by virtue of the Power and Authority given to us by the said lastly-recited Act, and in consideration of the sum of \_\_\_\_\_ paid to us by \_\_\_\_\_ bargain, sell and

assign unto the said  
Successors and Assigns, [or Executors, Administrators,



or Assigns (as the case may be),] all and singular the Proceeds and Produce, and Monies arising by and from or in respect of the Annual Tax or Rate of One Shilling per Acre, in the said Act of the Fifty-seventh Year of the Reign of King *George* the Third, mentioned and thereby charged and made payable for and in respect of the several Lands therein respectively mentioned or referred to; To hold the same Yearly Tax or Rate and Monies unto the said

Successors and Assigns, [or Executors, Administrators, or Assigns, (as the case may be),] until the said sum of

together with interest for the same, after the rate of per centum per annum, to be computed from the day of the date hereof, shall be fully repaid and satisfied to him, her, or them (as the case may be), such Interest to be paid by equal half-yearly portions, on the

day of and the in every Year in the meantime. Given under our Hands and Seals the day of in the Year of our Lord .”

and copies of all such Securities as shall be so made or granted by the said Committee Men for the Time being as aforesaid, shall be respectively entered in a Book or Books to be kept for that purpose by the Clerk of the said Committee Men, and such Book or Books may be inspected at all seasonable Times by any Person or Persons whomsoever, on payment of the sum of One Shilling to the said Clerk for every such inspection.

*Securities may be assigned.*

XVIII. And be it further enacted, That it shall be lawful for all and every Body and Bodies, and Person and Persons, to whom any such Security shall be so made as aforesaid, or or who shall be entitled to the same, or to the principal Money and Interest thereby secured, or any Part or Propor-

tion thereof, and he, she and they is and are hereby respectively empowered from Time to Time, by any Writing under his, her or their Hand and Seal, or Hands and Seals, to be indorsed on his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, such Writing or Writings being duly stamped and setting forth the consideration for such Assignment or Transfer, to Assign or Transfer such Security, or any Share thereof or Interest therein, and all or any Part of the Monies due or to become due thereon, to any Person or Persons whomsoever; and every such Assignment or Transfer shall be produced or notified to the Clerk of the said Committee Men, who shall cause a Memorial thereof, specifying the date thereof, and the Names, Additions, and Places of Abode of the several parties thereto, and the sum or sums of Money therein mentioned to be Transferred, to be entered in the said Book or Books to be kept for entering the said original Securities, for the entry of which said Memorial the said Clerk shall be paid the sum of Five Shillings, and no more, by the Person or Persons producing or notifying such Assignment or Transfer as aforesaid; and after such entry made of such Memorial as aforesaid, and not sooner or otherwise, such Assignment or Transfer shall entitle the Assignee or Assignees therein mentioned, and his, her, or their Successors, Executors, Administrators and Assigns to the Benefit thereof, and of the original Security or of the Interest therein, which shall have been thereby Assigned or Transferred; and every Assignee of any such Security shall and may in like manner, from Time to Time, Assign and Transfer such Security as he or she shall think proper.

*Mortgagees to be Creditors in equal degree.*

XIX. And be it further enacted, That the several Bodies or Persons to whom such respective Securities shall have been made or granted by the said Committee Men as aforesaid, and their respective Successors, Executors, Administrators and Assigns, shall be Creditors upon the several Taxes, Rates and Monies respectively charged therewith, in an equal degree one with another, according to the Amount of the



respective principal sums of Money which shall be thereby respectively secured to them; and any one or more of the said several Bodies or Persons, or his, her, or their respective Successors, Executors, Administrators or Assigns, shall not have any preference over any of the others of them, or his, her or their respective Successors, Executors, Administrators or Assigns, by reason of any priority in the date of such respective Securities, or any of them, or in the Time of advancing the Monies for which the same shall have been respectively given.

*The Treasurer of the Committee Men to pay the Interest and Principal Monies as directed.*

XX. And be it further enacted, That the Treasurer for the Time being of the said Committee Men, or in case of his or their default, then any Collector of the said Committee Men, shall, upon receiving notice in that behalf from any Mortgagee for the Time being entitled to any such Security which shall have been so granted as aforesaid, and he is hereby authorized and required, with and out of the respective Taxes, Rates and Monies respectively comprised in or charged by such Security, to pay and keep down the Yearly Interest mentioned in and secured by such Security by equal half-yearly Payments to the Party or Parties entitled thereto; and also to repay the principal Money mentioned in and secured by such Security to the Party or Parties entitled thereto on the day or respective days, and in the Manner which may be limited or appointed for the repayment thereof, in such Security, or in case no such day shall be therein appointed, or in case the Payment of the said principal Money shall have been postponed beyond the day or days which shall be therein appointed by consent of the Person or Persons entitled to receive such principal Money, then upon Six calendar Months previous Notice in Writing for the Payment of such principal Money being given to or left at the Dwelling-house or Office for the Time being of the Treasurer or Clerk of the said Committee Men, by or on behalf of the Person or Persons for the Time being possessed

of or entitled to such Mortgage, or to the principal Money and Interest thereby secured.

*In default of Payment the Taxes to vest in the Mortgagees.*

XXI. And be it further enacted, That in case the principal Money or Interest due by virtue of any Security which shall have been granted by the said Committee Men as aforesaid, shall not be paid by the said Committee Men, or by their Treasurer, or Collector, on the day or days and in the Manner hereinbefore directed for the Payment thereof respectively, then, and in any such case, the said several Yearly Taxes, and Rates, and Monies, which shall have been made liable to and charged with the Payment thereof respectively, shall thereupon vest in the Mortgagee or Mortgagees, to whom the same Yearly Taxes, or Rates, and Monies, shall have been respectively mortgaged or charged as aforesaid, or their respective Successors, Executors, Administrators or Assigns, or in some Person or Persons to be nominated by them or the major part of them, in trust for all of them, according to the respective Amounts of the several principal Monies secured to them respectively, until all the said principal Monies and Interest in the Payment whereof default shall have been made as aforesaid, and all further and accruing Interest due upon the same Security or Securities, shall be fully paid and satisfied to the said several Mortgagees respectively, together with the Costs and Charges which shall have been occasioned to them respectively by the Non-payment of the same principal Monies and Interest respectively; and the said Mortgagees respectively, and their respective Successors, Executors, Administrators, and Assigns, shall have all such and the same Powers, Rights, Privileges, and Remedies for recovering, collecting, and receiving the said Taxes and Rates, and Monies, or such of them, or such Part or Parts thereof, as shall be so mortgaged or charged to them respectively as aforesaid, as the said Committee Men would have had in case the said respective Mortgagees had not been made or granted.



*Power to raise Money for the discharge of principal Monies called in.*

XXII. And be it further enacted, That it shall be lawful for the Trustees of the said Act of the Fifty-seventh Year of the Reign of King *George* the Third, and they are hereby empowered in like Manner as aforesaid to provide and raise, or to direct or authorize their said Committee to provide and raise, from Time to Time, by any of the Ways or Means, and in the Manner hereinbefore mentioned, any sum or sums of Money which shall from Time to Time be required for paying off and discharging any principal Money or Monies theretofore borrowed or taken up at Inteaest as aforesaid, which shall from Time to Time be called in by the Person or Persons respectively entitled thereto, or which the said Trustees or their said Committee shall, from Time to Time, think proper to pay off and discharge, or any Part thereof respectively, for the Payment of which there shall at the Time be no Fund, or no sufficient Fund, appropriated and available at the disposal of the said Committee Men.

*Allowing adjacent Lands to be included in the Drainage on Petition.*

XXIII. And be it further enacted, That it shall be lawful for the said Committee Men acting in the Execution of the said Act of the Fifty-seventh Year of the Reign of King *George* the Third, and they are hereby authorized and empowered, on the Petition in Writing, signed by the Proprietors or Owners in possession of Two-third Parts in quantity or number of Acres of the Lands adjoining or lying contiguous to the District of Drainage, in the said Act of the Thirty-third Year of the Reign of King *George* the Third mentioned, and comprised under the Powers of the said Act of the Fifty-seventh Year of the Reign of King *George* the Third, to take, comprise and include such Lands within the said Drainage, upon the said several Proprietors or Owners submitting to pay such sum or sums of Money, either in the gross or annually, or both, and agreeing to conform to such

Regulations, Gauges, Provisions, and Restrictions as the said Committee Men for the Time being shall adjudge and determine to be just and reasonable, and the Annual sum or sums of Money to be paid shall be due and payable on the the same day, and be levied and recovered by the same Ways and Means as in the said several recited Acts, or either of them, is mentioned and provided for in relation to the Annual Tax or Rate therein and thereby made payable from or for the other Lands comprised in the said Drainage, or any of them respectively ;

*No Lands not having a Right of Drainage to be admitted without Consent of the Commissioners of the Nene Outfall.*

Provided nevertheless, That it shall not be lawful for the said Committee Men, or any other Persons acting in Execution of the said Act of the Fifty-seventh Year of the Reign of King *George* the Third, or of this Act, to take, comprise or include within the drainage mentioned in the said Act, of the Thirty-third Year of the Reign of King *George* the Third, any Lands or Grounds lying within the North Level, part of the Great Level of the Fens, called *Bedford Level*, nor any Lands or Grounds which had not at the Time of the passing of this Act a Right of Drainage or passage of Waters into, by and through the *Nene* Outfall Cut or Channel to Sea, or which did not contribute to the Expences of the execution of the *Nene* Outfall Works, without the previous Consent of the Commissioners of the said *Nene* Outfall, by an Order made at One of their General or Special Meetings, and testified by a Copy of such Order in Writing under their Common Seal.

*Power to make Bye-laws.*

XXIV. And be it further enacted, That it shall and may be lawful to and for the Trustees of and under the said recited Act of the Fifty-seventh Year of King *George* the Third, or their respective Agents, at any General Annual Meeting to be held pursuant to the Directions and Provisions of the same Act, to make, ordain, and establish Orders,



Rules and Bye-laws for the due and efficient Preservation, Management and Direction of the said Barrier Bank and of the Works of Drainage made or executed under the authority of the recited Acts or either of them, or to be made or executed under the same authority, and for providing and preserving proper Channels, Tunnels, and Watercourses for Discharge of the Waters into and from the several Drains; and also from Time to Time, as occasion shall require, to rescind, add to, amend and alter such Orders, Rules and Bye-laws, and to impose and inflict such reasonable Fines, Penalties and Forfeitures for the Breach of such Orders, Rules and Bye-laws, as the said Trustees at any such Annual Meeting as aforesaid shall think fit and expedient, so as no such Fine or Forfeiture shall exceed the sum of Five Pounds on any one Person for any one Offence, which Fine, Penalty or Forfeiture shall be enforced, levied, and recovered in the Manner and by the Means prescribed and directed in and by the said recited Act of the Fifty-seventh Year of King *George* the Third, in relation to any Penalty or Forfeiture therein mentioned; which said Orders, Rules and Bye-laws shall be reduced into Writing, and signed by the Trustees present at such Annual Meeting as aforesaid, or their Agents respectively, and entered in the Book or Books of Proceedings of the said Trustees and Committee Men, and Copies thereof shall be printed for Distribution and for Delivery to any Person requiring the same; Provided nevertheless, that such Orders, Rules, and Bye-laws be not repugnant to the Laws of that part of the United Kingdom called *England*, or to any Provision contained in this or the said several herein-before recited Acts; Provided also, that before any such Fine, Penalty or Forfeiture shall be payable or recoverable, such Bye-laws shall be approved by some Judge of One of Her Majesty's Courts of Record, or by the Justices in the Court of General or Quarter Sessions assembled at *Spalding* for the Parts of *Holland* in the County of *Lincoln*, and a Certificate obtained of such Approval under the Hand of such Judge, or of the Chairman of such Court of General or Quarter Sessions.

*Reservation of the Rights of the North Level and Nene Outfall Commissioners.*

XXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to annul, invalidate, lessen, prejudice or interfere with any of the Rights, Powers or Privileges to which the North Level Commissioners or the *Nene* Outfall Commissioners, or their respective Committees, or any of them, were respectively entitled, or which were vested in them respectively before the passing of this Act, but that all such Powers, Rights and Privileges shall remain and continue at all Times hereafter in as full force and effect as if this Act had not been passed.

*Public Act.*

XXVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others.

*Continuance of Act in regard to Road.*

XXVII. And be it further enacted, That so much of this Act as relates to the Road from *Spalding High Bridge* to *Brother House* aforesaid on the said Barrier Bank, shall commence on the Day of the passing thereof, and shall thenceforth continue and be in force for the Term of Thirty-one Years, and from thence to the end of the then next Session of Parliament.



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